

Amendment No. 3 to SB3418

**Jackson
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3418*

House Bill No. 3503

by deleting the amendatory language of Section 3, and by substituting instead the following language:

(d) Within budgetary limitations and subject to the approval of the commissioner of personnel, the board through its executive director may employ professional and staff employees as may be appropriate for the efficient discharge of its duties to manage and operate TRICOR.

(1) Notwithstanding §8-30-208, the board with the approval of the commissioner of personnel, shall have the option of declaring certain management positions, unique to the operations under the control of the board, a part of the executive service and under the exclusive control of the board.

(2) The board, with the approval of the commissioner of personnel, shall have the option of declaring other positions, unique to the operations under the control of the board, to not be a part of the career service and to be under the exclusive control of the board.

(3) Upon appointment on or after July 1, 2006, to a position herein defined by subsection (d)(2), an employee shall be subject to a probationary period of employment, as shall be established by the board and with the approval of the commissioner of personnel. Upon successful completion of the probationary period, the employee will be afforded minimum due process as defined in §8-30-331 and access to the grievance procedures as provided in §8-30-328 including the appeal to the commission under the rules of the department of personnel for a disciplinary action of suspension, demotion or termination. This shall apply to all TRICOR employees already working in positions which are subsequently moved from the career service into a position herein defined by subsection (d)(2) pursuant to the provisions of this section. The provisions of this

section shall have no application to positions assigned to executive service pursuant to the provisions of §8-30-208(b) or to the positions herein defined by subsection (d)(1).

(4) Those positions that are not unique to TRICOR and are career service will remain career service.

(5) Notwithstanding any provisions of law to the contrary, the board has the authority to develop procedures for recruiting and hiring qualified personnel, including career service, in a timely manner and at salary levels competitive with the free market in order to ensure the production and timely delivery of low cost, quality products and to assure that the operations of TRICOR are efficiently managed and thus off-set the costs of incarceration. The board has the authority to hire staff through the department of personnel and is encouraged to exercise this option when it is consistent with the principles of free enterprise.

(6) Subsection (d) shall be implemented notwithstanding any other law to the contrary.

AND FURTHER AMEND by deleting the amendatory language of Section 4, and by substituting instead the following language:

(a) Notwithstanding any provisions of law to the contrary, the board has the authority to contract for professional services, for which reimbursement may be established on an incentive basis and for the lease or purchase of property and equipment, to be provided for TRICOR which is necessary for the efficient discharge of its duties to manage and operate.